

SENATE BILL 2553

By Tate

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 5 and Title 39, Chapter 17, Part 4, relative to the punishment for certain offenses committed in school zones.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-432, is amended by deleting subdivision (b)(1) and substituting instead the following:

(1) A violation of § 39-17-417, or a conspiracy to violate the section, that occurs on the grounds or facilities of any school or within five (5) miles of the real property that comprises a public or private elementary school, middle school, secondary school, preschool, child care agency, or public library, recreational center or park shall be punished one (1) classification higher than is provided in § 39-17-417(b)-(j) for such violation.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is amended by adding the following as a new section:

Section 39-13-532.

(1) A violation of § 39-13-513, § 39-13-514, § 39-13-515 or § 39-13-516, or a conspiracy to violate any such section, that occurs on the grounds or facilities of any school or within five (5) miles of the real property that comprises a public or private elementary school, middle school, secondary school, preschool, child care agency, or public library, recreational center or park shall be required to serve at least the minimum sentence imposed by the court, or sixty calendar (60) days in a local correctional facility, whichever sentence is greater. Any sentence reduction credits the defendant may be eligible for or earn shall not

operate to permit or allow the release of the defendant prior to full service of  
either the minimum sentence or sixty (60) calendar days.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.